BANKRUPTCY—RIGHT TO DISCHARGE—WORTHLESS CHECK AS A MATERIALLY FALSE STATEMENT IN WRITING.—The bankrupt had a trading account with his stockbrokers. They called on him for additional margin and he sent a check for $5,000 knowing that he did not have that sum in the bank. *Semble,* this check was a "materially false statement in writing" such as would bar the bankrupt from a discharge under section 14b(3) of the Bankruptcy Act (36 Stat. 839, U. S. Comp. Stat. 1916, §9598). *In re Robinson* (D. C. 1919) 256 Fed. 55.

The great mass of decisions under this section of the Act have had to do with regularly drawn up statements of financial condition, listing the total assets and liabilities of the maker. *Cf.* Collier, Bankruptcy (11th ed.) 389. So uniform were the precedents in this respect that when a case similar to the instant one first came up, it was held that the check was not a statement within the meaning of the Act and the bankrupt was granted a discharge. *In re Rea Bros.* (D. C. 1917) 251 Fed. 431. Although the giving of other bills of exchange does not import a present debt due the drawer from the drawee, the giving of a check is a representation that the drawer has sufficient funds in the bank to pay it. *Mulroney Mfg. Co.* v. *Weeks* (Iowa 1919) 171 N. W. 36; *Foote* v. *People* (N. Y. 1879) 17 Hun 218; *Barton* v. *People* (1890) 135 Ill. 405, 25 N. E. 776. Hence it is submitted that the check itself, in view of delivery in the usual course of business, should be interpreted as such a representation or statement in writing, and is within the purview of the Act, the purpose of which is to punish an attempt on the part of a debtor to misrepresent his ability to pay. Unless this were so, we would reach a conclusion which would hold a person who misrepresents his ability to pay a specific sum less accountable than one who misrepresents his entire financial condition.

CRIMINAL LAW—AIDER AND ABETTOR—DEGREE OF GUILT.—The defendant and one B went to the house of one Matney with the purpose of precipitating trouble and in the course of an argument, B shot and killed Matney. The defendant, upon being convicted of voluntary manslaughter, appealed on the ground that the court's charge, including an instruction on murder, was improper, since B had already been convicted of voluntary manslaughter only. *Semble,* an aider and abettor may be guilty of willful murder though the principal be convicted of manslaughter only. *Bingham* v. *Commonwealth* (Ky. 1919) 210 S. W. 459.

It was an uncontroverted rule of common law that the offense of the accessory could not be greater than that of the principal. May, Crimes (3rd ed.) §70; 1 Bishop, Criminal Law (8th ed.) §666. This was due to the fact that the guilt of the principal was a condition precedent to the conviction of the accessory; *Ex parte Bowen* (1889) 25 Fla. 645, 6 So. 65; *Buck* v. *Commonwealth* (1884) 107 Pa. St. 486; 18 Columbia Law Rev. 471; and it seemed "incongruous and absurd that he who is punished only as a partaker of the guilt of